

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION

REINALDO JAVIER RIVERA

Petitioner,

v.

ERIC SELLERS, Warden of the  
Georgia Diagnostic and  
Classification State Prison,

Defendant.

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CV 113-161

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Before the Court are the following motions: Petitioner's motion to maintain the stay (Doc. 97), Petitioner's motion for reconsideration (Doc. 98), and Petitioner's motion to substitute a complete version of his motion to appoint supplemental counsel (Doc. 102). Petitioner first asks the Court to maintain the stay of his case pending the Supreme Court's review of the Eleventh Circuit's decision in Wilson v. Warden.<sup>1</sup> Because the Supreme Court decided the case on April 17, 2018,<sup>2</sup> Petitioner's motion to maintain the stay (Doc. 97) is **DENIED** as **MOOT**. The Court hereby **VACATES** the **STAY** of the present case.

Second, Petitioner asks the Court to reconsider its order denying Petitioner's motion to amend and motion to appoint

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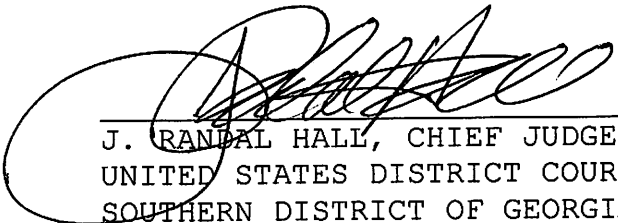
<sup>1</sup> Wilson v. Warden, 834 F.3d 1227 (11th Cir. 2016), rev'd, 138 S.Ct. 1188 (2018).

<sup>2</sup> Wilson v. Sellers, 138 S.Ct. 1188 (2018).

supplemental counsel. (Docs. 96, 98.) Now that the stay is lifted, this Court will decide Petitioner's motion for reconsideration.

Lastly, Petitioner presents an unopposed motion to substitute a complete version of his motion to appoint supplemental counsel.<sup>3</sup> Although the Court already denied Petitioner's motion to appoint supplemental counsel, the Court **GRANTS** his motion to substitute (Doc. 102) and will use the complete version in deciding Petitioner's motion for reconsideration.

**ORDER ENTERED** at Augusta, Georgia, this 22<sup>nd</sup> day of October, 2018.



J. RANDAL HALL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA

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<sup>3</sup> Pages forty-three and forty-four are missing from the electronic copy of Petitioner's motion to appoint supplemental counsel. (Pet.'s Mot. to Substitute, Doc. 102, at 2.) The substituted version contains the missing pages.